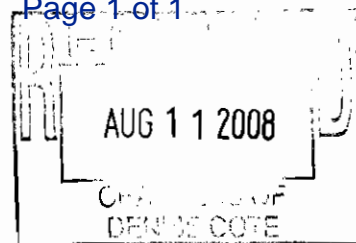


MEMO ENDORSED

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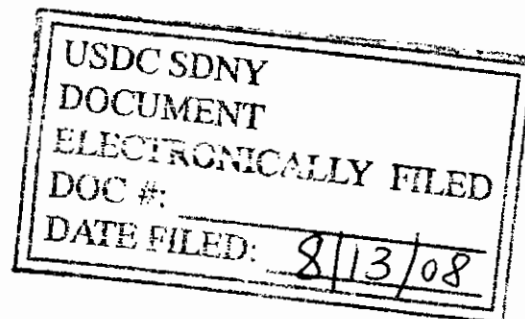


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August 7, 2008

Chambers of the Hon. Denise L. Cote
United States District Judge
Daniel P. Moynihan United States Courthouse
500 Pearl Street, Room 1040
New York, NY 10007



Re: *CIBC, Inc., et al. v. The Upper Deck Company*,
08 CV 05460 (DLC)

Dear Judge Cote:

I am counsel for plaintiffs in the above-referenced action. I am writing to advise the Court that upon the request of the defendant, plaintiffs have agreed to extend defendant's time to move or answer with respect to the complaint from August 18, 2008 to and including August 29, 2008. Defendant has waived formal service of the summons and complaint, and this is the first extension of its time to move or answer.

I am advising the Court of this agreed-upon extension by letter rather than by filing a stipulation because defendant has not yet retained counsel admitted in this District.

Should the Court have any questions, please let me know at (212) 751-1585.

Granted.
Denise Cote
August 2, 2008

Respectfully yours,

Lloyd S. Clareman
Lloyd S. Clareman

cc: Adam Sullins, Esq., The Upper Deck Company